

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

SUMAYAH HODGES,

Plaintiff,

v.

BARACK OBAMA,

Defendant.

)
)
)
)
)
)
)
)
)
)

No. 4:15CV1182 SPM

MEMORANDUM AND ORDER

This matter is before the Court on its initial review of plaintiff's pro se complaint and application for leave to proceed in forma pauperis. See 28 U.S.C. § 1915. Also before the Court is plaintiff's Motion for Impeachment of President Barack Obama. Pursuant to 28 U.S.C. § 1915(e), the Court is required to dismiss a complaint upon a determination that it, among other grounds, is frivolous. See 28 U.S.C. § 1915(e)(2)(B). After reviewing the financial information attached to plaintiff's complaint, the motion to proceed in forma pauperis will be granted. However, after reviewing plaintiff's complaint in its entirety, the Court will dismiss this action pursuant to 28 U.S.C. § 1915(e)(2)(B).

28 U.S.C. § 1915(e)(2)(B)

Under 28 U.S.C. § 1915(e), the Court is required to dismiss a complaint filed in forma pauperis if it is frivolous, malicious, or fails to state a claim upon which relief can be granted. To state a claim for relief under § 1983, a complaint must plead more than "legal conclusions" and "[t]hreadbare recitals of the elements of a cause of action [that are] supported by mere conclusory statements." *Ashcroft v. Iqbal*, 129 S. Ct. 1937, 1949 (2009). A plaintiff must demonstrate a plausible claim for relief, which is more than a "mere possibility of misconduct."

The Complaint

Plaintiff, a resident of St. Louis, Missouri, brings this action alleging, generally, a violation of her civil rights. In her complaint, plaintiff asserts only that she would like to have President Barack Obama impeached, and she states that she will supplement her allegations and her request for relief after she is appointed counsel.

In her attachment, entitled “Request for Impeachment of President Barack Obama” and “Request for Urgent Protection Order,” plaintiff states that she believes the President has failed to uphold the Constitution and the laws of the United States. She recounts that she believes her own due process rights have been violated, and she lists generally a plethora of times and places when she believes wrongs were done to her. For example, plaintiff states that she was implanted with a “biomedical device,” and afterwards she began intercepting “all forms of communication, including postal services.” Plaintiff states that her “home, vehicle and business” were bugged, and she was “forced into involuntary servitude.” Plaintiff additionally states that her relationship with her mother was interfered with and the government hired an actor to look like her father. Plaintiff has many additional allegations along this same vein, including the assertion that the government stole her dog of eight years in order to install a surveillance system in her home and destroyed her landscaping in order to control her sprinkler system. Although plaintiff does not state that the President of the United States initiated each of these acts, she does intimate that the government was involved in a conspiracy of “surveillance” and “tracking” her from 2009 until the present.

Plaintiff’s assertions, that unnamed governmental officials controlled by the President of the United States, have acted against her, controlled her mind, and surveilled her home and car over the past six years, describes a fantastic or delusional scenario that is subject to dismissal

under 28 U.S.C. § 1915(e)(2). *Neitzke v. Williams*, 490 U.S. 319, 325 (1989); *see also, Denton v. Hernandez*, 504 U.S. 25, 32-33 (1992).

Moreover, plaintiff's request that this Court impeach the President of the United States for the acts described herein, is untenable, as the powers of impeachment belong to Congress, and impeachment may only be had "for, and Conviction of Treason, Bribery or other high Crimes and Misdemeanors." *See* Art. I §§ 2 and 3 and Art. II, § 4 of the Constitution. As such, the motion will be denied.

In light of the aforementioned, this action will be dismissed, without prejudice, as frivolous, pursuant to 28 U.S.C. § 1915(e)(2)(B).

Accordingly,

IT IS HEREBY ORDERED that plaintiff's motion to proceed in forma pauperis [Doc. #2] is **GRANTED**.

IT IS FURTHER ORDERED that this action is **DISMISSED** pursuant to 28 U.S.C. § 1915(e)(2)(B).

IT IS FURTHER ORDERED that plaintiff's Motion for Impeachment of President Barack Obama [Doc. #5] is **DENIED**.

IT IS FURTHER ORDERED that plaintiff's motion for appointment of counsel [Doc. #4] is **DENIED AS MOOT**.

An Order of Dismissal will accompany this Memorandum and Order.

Dated this 5th day of August, 2015.

/s/ Jean C. Hamilton
JEAN C. HAMILTON
UNITED STATES DISTRICT JUDGE